

### **DECLARATION OF SERVICE**

**ELLEN J. FRIED** hereby declares:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York, attorney for Defendants Richard F. Daines as Commissioner, State of New York Department of Health, Adela Salame-Alfie as Director, State of New York Department of Health, Bureau of Environmental Radiation Protection.

On December 21, 2007, true and correct copies of the Reply Memorandum of Law In Further Support of Defendants' Motion to Dismiss the Amended Complaint and the Reply Affirmation of Ellen Fried with annexed Exhibits was filed electronically with the Clerk of the Court. Copies of same were also served upon the following counsel:

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by depositing a copy of said documents, properly enclosed in a postage pre-paid Federal Express mail wrapper, within the custody of Federal Express at 120 Broadway, New York, New York 10271, directed to said attorneys at the addresses they designated for service of papers.

Dated: New York, New York  
December 21, 2007

ANDREW M. CUOMO  
Attorney General of the  
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Attorney for Defendants  
By:

/ / Ellen Fried  
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